

(1867)



ANNO TRICESIMO SEPTIMO

Georgii III. Regis.

C A P. CXVIII.

An Act for regulating the Height between Decks of Vessels entered outwards for the Purpose of carrying Slaves from the Coast of *Africa*. [19th July 1797.]



HEREAS by an Act of the Thirty-fifth Year of His present Majesty, intituled, *An Act for regulating the Shipping, and carrying Slaves in British Vessels from the Coast of Africa*, it was enacted, that the whole Space between Decks in such Vessels should be allotted for the Reception of Slaves, in order to their greater Comfort, and better Accommodation: And whereas it has been found, that sufficient Provision was not made by the said Act, for the Comfort and Accommodation of the Slaves in their Apartments between the Decks of Ships so employed; for Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, no *British Ship* or Vessel shall clear outwards from any Port in His Majesty's Dominions for the Purpose of shipping or carrying Slaves from the Coast of *Africa*, in which the Space between the Decks allotted

Preamble.

35 Geo. III,
Cap. 90.

No Vessel to
clear outwards
for carrying
Slaves from
Africa unless
the Space al-

Amos & Edw. G. Allen 11-9-45 Lib.

lotted for the
Slaves be of a
certain Height.

for the Reception of Slaves, under the Provisions of any former Act, shall not be, in every Part throughout the whole Length and Breadth thereof, of the full and complete perpendicular Height of Four Feet One Inch at least, measuring from the upper Surface of the Lower Deck to the under Surface of the Upper Deck.

One decked
Vessel to have
a false Deck in
the Hold.

II. And whereas Ships and Vessels having only One Deck are sometimes used for shipping and carrying Slaves from the Coast of *Africa*, be it further enacted, That in all such Vessels a Floor or False Deck shall be fixed in the Hold, for the Reception of the Slaves, which shall be taken and considered as her Lower Deck, for the Purposes of this Act.

No Vessel to be
cleared out till
admeasured,
and certified
by the Officer
of the Customs,
for which he shall
receive 10s.,
and which
Certificate
must be produced
to the
Officer at the
Port of Arrival
in the *West
Indies*, &c.

III. And be it further enacted, That no Ship or Vessel shall be permitted to clear out from any Port in *Great Britain*, for the Purpose of shipping and carrying Slaves from the Coast of *Africa*, until the proper Officer of the Customs at such Port shall have examined and admeasured such Ship or Vessel, and shall have found her to agree in Admeasurement, and to be in every other Particular conformable, to the Regulations and Restrictions required and directed by this Act, and shall have certified the same in Writing to the Collector of His Majesty's Customs at such Port, for doing which he shall be entitled to demand and receive the Sum of Ten Shillings from the Master or Owner of the said Vessel, and the said Certificate shall be annexed to the Clearance of the said Vessel, and shall be produced therewith to the Collector or Comptroller, or other proper Officer of the Customs, at every Port in the *West Indies* or *America*, belonging to His Majesty, at which the said Vessel shall arrive, before any Slave or Slaves shall be permitted to be landed out of the said Vessel at any such Port.

False Deck not
to be removed
till the Slaves
are landed, on
Penalty of
200l.

IV. And be it further enacted, That after the Surveying Officer shall have examined and measured any Ship or Vessel as herein-before directed, it shall not be lawful for the Master or Owner thereof to remove, or cause or suffer to be removed, any Floor or False Deck which shall have been fixed in the Hold for the Reception of Slaves, as herein-before directed, except for the Purpose of loading or unloading his said Vessel on the outward bound Voyage, or other unavoidable Necessity, or to do, or cause or suffer to be done, any other Matter or Thing whereby the Height of the Places or Apartments allotted for the Reception of Slaves shall be diminished, until all the Slaves which shall have been taken on board such Ship or Vessel shall have been discharged or landed therefrom, under the Penalty of Two hundred Pounds for every such Offence.

Where Penal-
ty may be sued
for, which
may be within
Three Years
after the Of-
fence.

V. And be it further enacted, That the Penalty inflicted by this Act may be prosecuted, sued for, and recovered, in any Court of Record in *Great Britain*; and in every such Action or Suit the Party against whom Judgement shall be given, (whether Plaintiff or Defendant), shall pay Double Costs of Suit; and every such Action shall and may be brought at any Time within Three Years after the Offence committed, and not afterwards, and every such Action shall be carried on without wilful Delay.

F I N I S.